

## MARGARET M. SHALLEY, ESQ.

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September 13, 2022

**BY ECF**

The Honorable George B. Daniels  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

**SO ORDERED:**

*George B. Daniels*  
George B. Daniels, U.S.D.J.

**SEP 13 2022**

Dated:

Re: *U.S. v. Marcus Ayala*  
**20 Cr.00057-22 (GBD)**

Dear Judge Daniels:

I represent Marcus Ayala in the above-referenced matter. A continuation date for sentencing is currently scheduled for September 14, 2022. The purpose of this letter is to respectfully request that Mr. Ayala's sentencing be adjourned for a few weeks. Counsel has obtained all of the relevant state court documents and filed a letter update to the Court regarding the defendant's objections to the PSR on September 8, 2022. Unfortunately, counsel is ill with a virus and will be unable to attend the sentencing hearing scheduled for tomorrow and was unable to meet with Mr. Ayala earlier this week prior to the sentencing hearing. Counsel has communicated with the Government who is in the process of scheduling a case for trial before Judge Rakoff within the next month. As a result, the parties will get back to the Court either later today or tomorrow morning with possible adjourn dates within the next few weeks. This is Mr. Ayala's third request for an adjournment of his continued sentencing date and the first two requests were granted. The Government consents to this request. Accordingly, it is respectfully requested that Mr. Ayala's sentencing be adjourned. When the Government is aware of their trial schedule, an updated letter with proposed dates and a proposed amended scheduling Order will be immediately filed with the Court, either later today or tomorrow. The Court's time and consideration of this matter are greatly appreciated.

Respectfully submitted,

/ s /

Margaret M. Shalley

cc: All Counsel  
(via ECF)